

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Labour Employment Training & Factories Department – Sri M. Chandrasekhara Rao, formerly Assistant Commissioner of Labour, Warangal – Trap Case – Acquitted in Criminal Appeal No. 1128/2002, High Court of Andhra Pradesh, Hyderabad – Charges dropped – Modified orders – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (VIG) DEPARTMENT

G.O.Ms.No. 95

Dated:26.10.2010

Read the following:-

1. From the D.G, ACB, Lr Rc.No. 43/RCT –WWIL/97, dt.3-5-1997.
2. G.O.Rt.No.1070, LET & F (Lab.IV) Dept, dt. 14.5.1997.
3. From the D.G.ACB. Lr Rc. No. 43/RCT – WWL/97-S5, dt.16.10.1997.
4. G.O.Ms No. 66 L.E.T. & F (Lab-IV) Deptt, dt 25.11.1997.
5. Reprn of Sri M. Chandrasekhara Rao, ACL under suspension, dt:20.05.99.
6. Govt Memo No. 430/Lab-IV/A1/99-1, DL 29.5.99.
7. From the DG, ACB Lr. Rc.No. 43/RC.T WWL/97, dt. 11.06.99 & 9.8.99 and 23.9.99.
8. G.O.Rt.No. 1972 LET& F (Lab-IV) Deptt,dt.5.11.99.
9. From the DG,ACB, Lr.RC.No. 43/RCT-WWL/1997-S5,Dt 25.11.2002,
- 10.G.O.Ms.No. 10, LET & F (Emp) Deptt, dt. 13.2.2003.
- 11.From the DG, ACB. Lr.RC.No.43/RCT-WWL/1997, dated.26.11.2009.
12. Reprn from Sri M. Chandrasekhara Rao, ACL (Retd), Hyderabad, dt.10.12.2009.
- 13.G.O.Ms. No. 37, LET & F (Vig) Department dated 1.5.2010.
- 14.From Sri M. Chandrasekara Rao, formerly ACL Warangal Representation dated 3.06.2010.

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ORDER

In the letter 1st read above, it was brought to the notice of the Government that Sri M.Chandrasekhara Rao, Assistant Commissioner of Labour, Warangal- II was trapped by Anti Corruption Bureau officials when he demanded and accepted an amount of Rs. 8,000/- as bribe from the complainant Dr. V. Mohan Reddy C.A.S, M.G.M. Hospital, Warangal for showing official favour and requested to issue suspension orders of the Accused Officer. Accordingly Sri M.Chandrasekhara Rao, was suspended from service in the Government Order 2nd read above.

2. In the letter 3rd read above, the Director General, Anti Corruption Bureau in his final report recommended to prosecute the Accused Officer, in a Court of Law. In the Government Order 4th read above, prosecution orders were issued to prosecute Sri M. Chandrasekhara Rao in a Court of Law.

3. In the reference 5th read above, Sri. M. Chandrasekhara Rao has submitted a representation to Government with a request to issue necessary orders for reinstatement into service, as per orders in force, as he has been kept under suspension for the last 2 years and he is also fully co-operating with the Prosecuting Agency.

4. In the letter 6th read above, the Director General, Anti Corruption Bureau was requested to furnish his remarks on the representation of the Accused Officer as he was kept under suspension from 18.5.1997.

5. In the Government Order 8th read above, Sri M. Chandrasekhara Rao was reinstated into service without prejudice to the trial of the case pending against him and posted to non-focal post.

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6. In the letter 9th read above, the Director General, Anti Corruption Bureau has informed that the Court of Principal Special Judge for SPE & Anti Corruption Bureau Cases at Hyderabad pronounced the judgment convicting Sri M. Chandrasekhara Rao, Assistant Commissioner of Labour, (Retd), Warangal and requested to take necessary action to dismiss the Accused Officer, from service on the ground of conduct which led to his conviction on criminal charge. Accordingly in the Government Order 10th read above orders were issued to impose the punishment of withholding pension and gratuity and other pensionary benefits in full permanently of Sri. M. Chandrasekhara Rao as he was retired from service, on 30.6.2001 on attaining the age of superannuation.

7. In the letter 11th read above, the Director General, Anti Corruption Bureau while sending a copy of the Judgment of the High Court of Andhra Pradesh, dt.4.8.2009 in Criminal Appeal No.1128/2002 filed by the Accused Officer allowed by the High Court of Andhra Pradesh has opined that this is not a fit case for preferring SLP in the Supreme Court of India, as the impugned judgment is neither perverse nor there is any substantial question of law involving public importance. The Director General, Anti Corruption Bureau has therefore recommended to initiate departmental action against the Accused Officer, if possible.

8. In the Government Order 13th read above, orders have been issued dropping the charges against Sri. M. Chandrasekhara Rao, Assistant Commissioner of Labour, (Retd), Warangal duly setting aside the punishment orders and treating the period of suspension as not on duty and also without paying the back wages as per sub-rule (3) of rule of 54- A of Fundamental Rules as amended in G.O.Ms.No.2, Finance (FR-II) Department, dated 04.01.2006.

9. Sri M. Chandrasekhara Rao, Assistant Commissioner of Labour, (Retd) Warangal filed an appeal in the representation 14th read above for treating the period of his suspension as duty and pay full pensionary benefits.

10 After careful examination of the matter and in partial modification of the orders issued in the Government Order 13th read above, Government hereby direct that the period of suspension of Sri. M. Chandrasekhara Rao, Assistant Commissioner of Labour (Retd), Warangal with effect from 18.05.1997 to 5.11.1999 be counted for pension purpose only without payment of any back wages.

11 The Commissioner of Labour shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.SREENIVASULU
SECRETARY TO GOVERNMENT

To

Sri.M.Chandrasekhara Rao, Assistant Commissioner of Labour,
(Retd) Warangal

through the Commissioner of Labour, Hyderabad.

The Commissioner of Labour, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Andhra Pradesh Vigilance Commission, Hyderabad.

Copy to:

P.A. to Deputy Secretary LET&F Deptt.,
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER